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) Examiner: David R. Dunn  
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## REPLY TO OFFICE ACTION

Initially, Applicants thank the Examiner for the courtesy of the personal interview with Applicants' Representative on September 16, 2003. The remarks below are consistent with the issues discussed and agreements reached during the interview.

In the outstanding Office Action, claims 39-46 were rejected under 35 U.S.C. § 251 as improperly recapturing broadened claimed subject matter surrendered in the parent patent. In particular, the Office Action refers to an amendment to claim 32 made in the parent application as triggering the surrender of certain claimed subject matter.

Applicants traverse this rejection for at least the reason that no art rejection was ever applied against claim 32, and thus no surrender can be implied. During the personal interview of September 16, 2003, the Examiner agreed with Applicants' Representative that the outstanding rejection under 35 U.S.C. § 251 was improper for at least this reason. See Paper No. 14. Accordingly, Applicants request withdrawal of the outstanding recapture rejection and the allowance of claims 1-46.

Applicants note that the interview summary document issued at the conclusion of the September 16, 2003 personal interview incorrectly refers to an ex parte reexamination application. Accordingly, Applicants submit that any rules or requirements stated in the interview summary document that are particular to reexamination applications are not applicable to this reissue application.

In order to comply with the requirements of 37 C.F.R. § 1.178, the assignee of the parent patent of this reissue application submits herewith a Statement as to Loss of Original Patent.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: November 21, 2003

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